Reservation in judiciary

2825. SHRI SYED AZEEZ PASHA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that the Department-related Parliamentary Standing Committee on Personnel, Public Grievances and Pensions and Law and Justice has recommended to bring higher judiciary *i.e.* Supreme Court and High Courts, under the ambit of reservation; and

(b) if so, the details thereof and Government's reaction thereto?

THE MINISTER OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ): (a) and (b) Yes, Sir. The Department-related Parliamentary Standing Committee on Personnel, Public Grievances and Pensions and Law and Justice in their Report submitted to the Parliament on the Judges (Inquiry) Bill, 2006, which *inter-alia* provides for setting up of a National Judicial Council in order to devise a suitable legislaiive framework for empowering a judicial forum to deal with complaints against judges of the Supreme Court and High Courts, has recommended bringing the higher judiciary under the ambit of reservation.

Appointments of Judges of the Supreme Court of India and High Courts are made under articles 124 and 217 of the Constitution of India, respectively, which do not provide for reservation for any caste or class of persons. Any change in the present system would require Constitutional amendment.

Completion of work by Delimitation Commission

2826. SHRI V. HANUMANTHA RAO: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the reasons for delay in completion of work by the Delimitation Commission:

(b) whether it is a fact that the Commission had to finish its work within two years of operational time;

(c) when the present Commission was appointed; and

(d) the steps proposed to facilitate finalisation and announcement of the report and recommendations of the Commission?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI K. VENKATAPATHY): (a) The Delimitation Commission could not complete its work by the scheduled time because of the intervening circumstances mentioned hereunder:

(i) In June, 2003, Parliament passed Constitution (Eighty-seventh Amendment) Act, 2003 which provides that the Delimitation of the Assembly and Parliamentary Consituencies should be done on the basis of 2001 census figures. As a consequence, the work done by the Commission till June, 2003 on the basis of 1991 census figures became non-est and the Commission started afresh. These figures were made available to the Commission much later.